



#17
B. Webb
10/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carin Widerstrom
Serial No. : 09/051,443
Filed : April 10, 1998
Title : DISPOSABLE INHALER

Art Unit : 3735
Examiner : Joseph F. Weiss, Jr.

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed May 20, 2002, please consider the following remarks.

REMARKS

The invention, as claimed in independent claims 1, 9 and 10, relates to a device and method that provides a single use inhaler with a subsidiary dose that is less than the first dose to permit a user to choose whether or not to use the subsidiary dose with the primary dose to provide a variable dose.

Independent claim 1 stands rejected as rendered obvious under 35 USC 103(a) in view of Gottenauer DE 44 00 084 and Gonda U.S. Patent No. 5,743,250 and independent claims 9 and 10 stand rejected as rendered obvious under 35 USC 103(a) in view of Gottenauer U.S. Patent No. 5,881,719 and Gonda U.S. Patent No. 5,743,250.

Gottenauer DE 44 00 084 shows an inhaler with twenty-eight independently openable containers of medicament. Gottenauer nowhere discloses, teaches or suggests a subsidiary dose that is less than the primary dose, as is required by independent claim 1

In the office action it is asserted with respect to Gonda U.S. Patent No. 5,743,250:

However, Gonda disclose such [a subsidiary dose that is less than the primary dose] (note the abstract which discloses repeated deliveries of

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 8, 2002

Date of Deposit

Signature

Jennifer Leveille

Typed or Printed Name of Person Signing Certificate